

SOLID WASTE PLANNING

Solid waste planning benefits everyone.

Everyone makes garbage – households, builders, businesses, industry, schools and restaurants. In fact, some would argue that the stronger the economy, the more garbage is generated. But as local governments make more waste, they face difficult decisions about how to best manage that waste.

The S.C. Department of Health and Environmental Control (DHEC) works closely with local governments to ensure adequate disposal capacity for solid waste and to make sure proposed solid waste facilities are located in accordance with state and local requirements. Achieving the correct mixture of landfills, recycling facilities, transfer stations and other solid waste management facilities is a delicate balance. Having too few facilities may encourage open dumping of solid waste and increases the cost

to dispose of waste – to residents and businesses. Having too many disposal facilities discourages recycling and develops excess landfill capacity.

DHEC has the responsibility for permitting solid waste landfills and other facilities that manage solid waste in South Carolina. State and federal regulations dictate specific engineering, geographical and geological requirements for these permits. But state and federal solid waste regulations are not the only tools available to determine how or where solid waste will be managed.

DHEC has responsibility for developing a state solid waste management plan, approving demonstration of need (DON) for new facilities and approving consistency with county or regional solid waste management plans. County governments have the responsibility for developing and implementing county or regional solid waste management plans.

THE S.C. SOLID WASTE MANAGEMENT PLAN

The S.C. Solid Waste Policy and Management Act of 1991 (Act) requires the state to have a comprehensive solid waste management plan. The S.C. Solid Waste Management Plan (State Plan) contains an inventory of the amounts and types of solid waste currently being disposed of, solid waste disposal projections for a 20-year period, an estimate of the current capacity in this state to manage solid waste and an analysis and evaluation of current practices.

The State Plan was adopted in 1992 and revised in 1999. In 2006, a modification was made to establish limits for facilities that use emerging technologies to manage solid waste until such time as the technologies have been determined to be effective and safe. DHEC anticipates beginning another revision of the State Plan in 2008.

As required by the Act, DHEC publishes an annual update to the State Plan and is included in this

report. In addition, previous reports for Fiscal Year (FY) 2004 through FY06 can be found on the Web at www.scdhec.gov/environment/lwm/recycle/resource_center.htm. For earlier reports, call 1-800-768-7348.



To search for solid waste disposal facilities throughout South Carolina, visit the on-line database at www.scdhec.gov/environment/lwm/Databases/MSWM/Mine-SW_search.htm.

COUNTY & REGIONAL SOLID WASTE MANAGEMENT PLANS

The Act requires each county to have a comprehensive solid waste management plan. Counties may join together to create and implement a regional solid waste management plan. Local plans are to provide information related to solid waste facilities, waste generation, local disposal and management options, full-cost data and recycling plans. Copies of local plans may be obtained from the appropriate local government. DHEC also keeps a library of local plans that may be accessed upon request.

County plans should be used to establish what solid waste facilities are needed and to plan for how much solid waste will be generated for disposal. Language in the plan should be clear, concise and based on factual data and research.

Because the local government is responsible for providing for the management of all solid waste, the local plan should address all solid waste streams and all applicable facility types and methods of treatment. The Act encourages local governments

to consider solid waste needs for a 20-year planning period.

Local plans should be reviewed periodically to assess the impact of regulatory changes, new permit issuances, population changes and waste generation trends. For these reasons, DHEC encourages counties and regions to review their solid waste management plans periodically and update or revise them as needed. Counties should develop their solid waste management plans with input from cities and towns within the county and offer an opportunity for public input into the plans.

DHEC provides guidance for local officials and solid waste consultants to consider when submitting, writing and/or modifying local plans. Assistance is available as needed and staff will conduct workshops or make presentations upon request. Assistance also is available to the regulated community to assist them in determining how a proposed facility would impact – or be impacted by – state and local planning considerations.

CONSISTENCY DETERMINATIONS

Before a facility can be permitted, it must be determined to be consistent with both the State Plan and with the local county or regional solid waste management plan. The procedure for making consistency determinations with local plans was outlined in the 1999 State Plan. A 2004 S.C. Supreme Court ruling, however, resulted in a change to the manner in which consistency determinations are made. As a consequence, county and regional solid waste planning is more important than ever.

Prior to the Supreme Court ruling, DHEC relied on the local government to make case-by-case determinations of consistency with local plans.

Pursuant to an April 19, 2004 ruling by the S.C. Supreme Court (Southeastern Resource Recovery, Incorporated [SRRRI] versus SCDHEC, et al, Opinion No. 25806), DHEC now conducts its own review of the local plans and makes an independent consistency determination. It is essential therefore, that each county solid waste management plan be up-to-date and written so that it clearly conveys the intent of the county over the 20-year planning period.

Local governments can use zoning and land-use planning to restrict the locations of solid waste facilities. Solid waste facilities cannot be permitted for locations that are inconsistent with zoning or land-use requirements.

DEMONSTRATION OF NEED

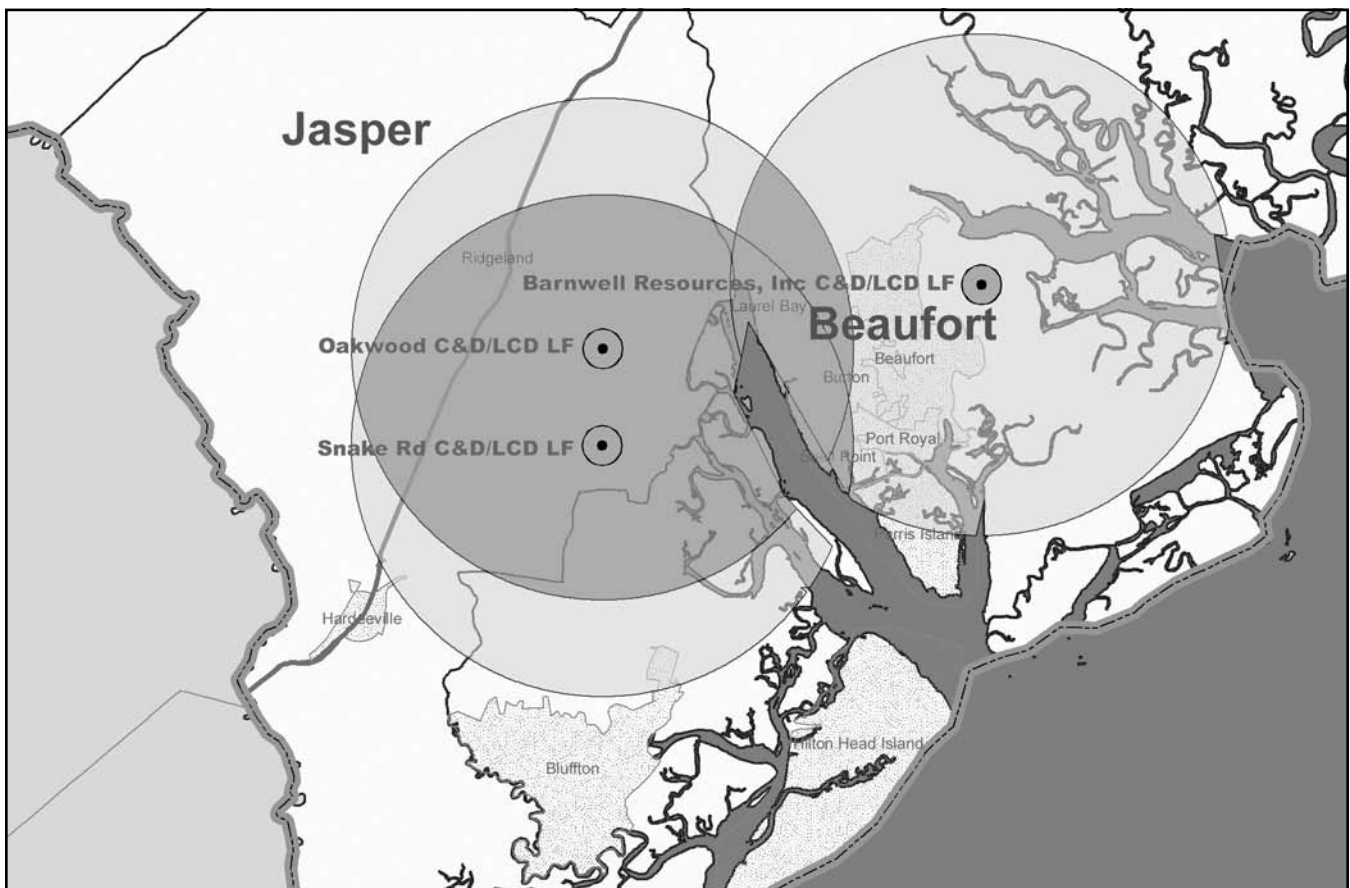
Demonstration of Need (DON) refers to the criteria that is used when there is a proposed solid waste disposal facility. Specific criteria includes location of the proposed facility or the facility's expansion, the number of commercial disposal facilities within the planning area and the amount of waste generated within the planning area.

According to the Act, most solid waste facilities must obtain a DON approval before they can obtain a permit. The DON regulation (R.61-107.17) – available on the Web at www.scdhec.gov/lwm/regs/r61-107_17.pdf – establishes planning areas that determine geographically where facilities can or cannot be placed. It also establishes maximum tonnage limits for the amount of material that can be accepted on an annual basis at specific facilities.

DHEC makes DON determinations at the request of applicants. The DON regulation applies to municipal solid waste landfills, long-term construction and demolition (C&D) debris landfills, commercial industrial landfills and solid waste incinerators.

Facilities that were in existence prior to the passage of the DON regulation (June 2000) are exempt from DON requirements. The DON regulation is currently under revision. For more information, see page 11.

In addition, more DON maps – used to indicate geographically where facilities may be placed – can be accessed at www.scdhec.gov/environment/lwm/html/solidwaste.htm.



This map illustrates the 10-mile planning areas for C&D landfills. The dark shaded area represents where the planning area for two C&D landfills overlap, and where a proposed facility could not demonstrate need. The white and light shaded areas show where a proposed facility could demonstrate need. This map is for illustrative purposes only and is not an actual DON map. For current DON information, please visit www.scdhec.gov/environment/lwm/html/solidwaste.htm.

